

## **PUBLIC NOTICE**

The Town Council of the Town of Amherst will hold a public hearing on February 12, 2014 at 7:00 PM in the Town Hall at 186 S. Main Street. The subject of the hearing is a proposed amendment to the Zoning and Subdivision Ordinance that would, if approved:

1. eliminate the parking requirement in the case of repurposed buildings that are more than 30 years old in the Central Business District CBD,
2. eliminate the front setback requirement in the Central Business District CBD, and
3. eliminate increased side and rear yard setbacks in business districts from adjacent lots in business districts where residences exist.

Information pertaining to this request is on file and available for review in the Town Hall weekdays between 9:00 AM and 5:00 PM and at [www.amherstva.gov](http://www.amherstva.gov).

**AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF AMHERST BY AMENDING CHAPTER 18.1 TO ELIMINATE PARKING REQUIREMENTS FOR OLD BUILDINGS WHEN THE USE OF THE BUILDING IS CHANGED AND ADJUSTING THE SETBACK REQUIREMENTS IN THE CENTRAL BUSINESS DISTRICT CBD.**

Be it Ordained by the Council of the Town of Amherst:

1. That the Code of the Town of Amherst is hereby adding a Sec. 18.1-602.08 to read as follows:

**Sec. 18.1-602.08. Parking requirements in the Central Business District**

- (a) Consistent with the purpose of the Zoning and Subdivision Ordinance, the Town Council and Planning Commission desire to preserve and enhance downtown Amherst. As such, the role of downtown Amherst as a desired location for community activities and local businesses will be encouraged.
- (b) To encourage the use of older buildings in the downtown area, no off-street parking will be required in the case of a change in use of a building that is more than 30 years old and in the Central Business District. However, this relief shall not apply when calculating the parking required for any new building footprint.

2. That the Code of the Town of Amherst is hereby adding a Sec. 18.1-804 is amended to read as follows:

**Sec. 18.1-804 Minimum yard requirements.**

- a. Within the district herein defined, the following minimum yard requirements shall apply:

	Front Yard Setback	<u>Side-Yard Setback</u>		Rear Yd Setback
		Corner Lot	Other Lots	
A-1 Agricultural	50'	15'	15'	25'
R-1 Limited Residential	60'	20'	15'	35'
R-2 General Residential	50'	15'	10'	35'
T-1 Transitional Use Zone	50'	(b)	(b)	35'
R-3 High Density Res.	30'	15'	15'	35'
R-4 Manufactured Home	30'	15'	15'	35'
B-1 Light Commercial	50'	(c)	(c)	(c)
CBD Central Business District	<del>50'</del> None	(c)	(c)	(c)
B-2 General Commercial	50'	(c)	(c)	(c)
E-1 Business Park	50'	(c)	(c)	(c)
M-1 Industrial	50'	(c)	(c)	(c)

- b. The minimum side yard shall be 15' on corner lots and 10' on other lots, except that no building or structure shall be erected within twenty-five (25) feet of a residentially zoned lot or a lot on which a residence exists.
- c. No minimum requirement except that no building or structure shall be erected within twenty-five (25) feet of a residentially zoned lot or a lot on which a residence exists.

- d. The front yard setback requirement for any lot in the Agricultural District A-1, Limited Residential District R-1, General Residential District R-2, High Density Residential District R-3, or Manufactured Home District R-4 shall be reduced when 50 percent or more of the building lots on the same side of the street within the same block are improved with buildings, and no building on that same side of the street within the same block shall be required to have a front yard setback greater than the average front yard setback of the existing buildings on the same side of the street. However, when there are buildings on the lots on both sides of the lot, the required front yard setback for that lot shall not be greater than the average of the front yard setbacks of the buildings on such adjacent lots. The side line of a building on a corner lot shall not be a factor in these calculations. For the purposes of this section, a block shall be defined as the area between the next adjacent street intersection or 500' of the lot in question, whichever is less, on both sides of the lot in question. A property owner shall be responsible for providing the appropriate documentation to support the reduction in front yard setback requirement prior to issuance of a zoning certificate.

3. *That this Ordinance shall be effective on February 12, 2014.*

*This ordinance was adopted on February 12, 2014.*

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Mayor

ATTEST:

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Clerk of Council